

Return Date: No return date scheduled  
 Hearing Date: 9/20/2019 10:00 AM - 10:00 AM  
 Courtroom Number: 2410  
 Location: District 1 Court  
 Cook County, IL

2120 - Served	2121 - Served
2220 - Not Served	2221 - Not Served
2320 - Served By Mail	2321 - Served By Mail
2420 - Served By Publication	2421 - Served By Publication
Summons - Alias Summons	

FILED  
 8/6/2019 1:49 PM  
 DOROTHY BROWN  
 CIRCUIT CLERK  
 COOK COUNTY, IL  
 2019CH06369

6063991  
 (08/01/18) CCG 0001A

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

MARTHA BENSON, individually and on behalf of all similarly  
 situated persons,

*Plaintiffs,*

v.

2019CH06369

FIVE STAR REALTY SERVICES, INC., an Illinois corporation

*Defendants.*

SUMMONS       ALIAS SUMMONS

To: Five Star Realty Services. Inc.  
 Monika Hajkowska  
 3703 N. Kedzie  
 Chicago, IL 60618

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee within **thirty (30) days after service of this Summons**, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois  
[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

Page 1 of 3



E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

Atty. No.: 62447

Atty. Name: Sheryl Ring | Open Communities

Atty. for: Martha Benson, et al., | Plaintiffs

Address: 900 Grove Street, 500

City: Evanston

State: IL Zip: 60201

Telephone: 847-501-5760

Primary Email: [sheryl@open-communities.org](mailto:sheryl@open-communities.org)

Witness: \_\_\_\_\_

8/6/2019 1:49 PM DOROTHY BROWN

DOROTHY BROWN, Clerk of Court



Date of Service \_\_\_\_\_

(To be inserted by officer on copy left with

Defendant or other person)

## CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- Richard J Daley Center  
50 W Washington  
Chicago, IL 60602
- District 2 - Skokie  
5600 Old Orchard Rd  
Skokie, IL 60077
- District 3 - Rolling Meadows  
2121 Euclid  
Rolling Meadows, IL 60008
- District 4 - Maywood  
1500 Maybrook Ave  
Maywood, IL 60153
- District 5 - Bridgeview  
10220 S 76th Ave  
Bridgeview, IL 60455
- District 6 - Markham  
16501 S Kedzie Pkwy  
Markham, IL 60428
- Domestic Violence Court  
555 W Harrison  
Chicago, IL 60607
- Juvenile Center Building  
2245 W Ogden Ave, Rm 13  
Chicago, IL 60602
- Criminal Court Building  
2650 S California Ave, Rm 526  
Chicago, IL 60608
- Domestic Relations Division  
Richard J Daley Center  
50 W Washington, Rm 802  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Civil Appeals  
Richard J Daley Center  
50 W Washington, Rm 801  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Criminal Department  
Richard J Daley Center  
50 W Washington, Rm 1006  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- County Division  
Richard J Daley Center  
50 W Washington, Rm 1202  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Probate Division  
Richard J Daley Center  
50 W Washington, Rm 1202  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Law Division  
Richard J Daley Center  
50 W Washington, Rm 801  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Traffic Division  
Richard J Daley Center  
50 W Washington, Lower Level  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm

### Daley Center Divisions/Departments

- Civil Division  
Richard J Daley Center  
50 W Washington, Rm 601  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Chancery Division  
Richard J Daley Center  
50 W Washington, Rm 802  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

Page 3 of 3

**12-Person Jury**

Hearing Date: 9/20/2019 10:00 AM - 10:00 AM

Courtroom Number: 2410

Location: District 1 Court  
Cook County, IL

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

FILED  
5/23/2019 1:41 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019CH06369

MARTHA BENSON, individually and on behalf of all similarly  
situated persons, )

*Plaintiffs,* )

v. )

FIVE STAR REALTY SERVICES, INC., an Illinois corporation )

*Defendants.* )

5168983

No. 2019CH06369

*Case #*

**CLASS ACTION COMPLAINT AT LAW AND EQUITY**

Plaintiff MARTHA BENSON, on behalf of herself and all similarly situated persons, by and through her counsel, Sheryl Ring, Esq. of the Open Communities Legal Assistance Program, hereby respectfully complains and alleges against Defendant FIVE STAR REALTY SERVICES, INC., an Illinois corporation, as follows:

**THE PARTIES**

1. Plaintiff Martha Benson (“Plaintiff”) is an individual who resides in Skokie, Cook County, Illinois.
2. At all times relevant, Plaintiff is an African American woman and a recipient of a Housing Authority of Cook County (“HACC”) Housing Choice Voucher for a two bedroom apartment.
3. Defendant Five Star Realty Services, Inc. (“Defendant”) is an Illinois corporation whose principal place of business is located at 3703 N. Kedzie Ave, Chicago, Cook County, Illinois.
4. At all times relevant, Defendant provides various real estate services throughout the Chicago area, including rental listing services, real estate sales representation, and property management.

**GENERAL ALLEGATIONS COMMON TO ALL COUNTS**

5. During February, 2019, Defendant advertised as available for rent a two bedroom apartment located at 8714 St. Louis Ave., Unit #2, Skokie, IL 60076 (“subject matter property”).
6. The subject matter property was advertised as a 1,200 square foot two bedroom, one bathroom apartment for \$1,375.
7. Defendant advertised the subject matter property through various means, including Facebook, Zillow and Defendant’s website “[www.fivestarchicagoapartments.com](http://www.fivestarchicagoapartments.com).”
8. One Facebook advertisement stated in part: “GORGEOUS 2 Bedroom + Den, Hardwood, Laundry in Building 8714 St. Louis Ave., Skokie \$1,375 <http://bit.ly/8714-2> Call 773-961-7962.”
9. The Zillow advertisement directed interested applicants to call Five Star Realty Services at 773-961-7962.
10. On February 26, 2019, Plaintiff called Defendant Five Star Realty Services at 773-961-7962 to inquire about renting the subject matter property.
11. During the phone call, Plaintiff spoke with an agent/employee of Defendant.
12. During the phone call, Defendant’s agent/employee told Plaintiff that this unit does not accept housing choice vouchers for rent.
13. On or about February 27, 2019, Plaintiff reported Defendant’s behavior to Open Communities, a non-profit organization tasked with investigating housing discrimination and enforcing the Fair Housing Act and its related laws.
14. Open Communities performs fair housing testing throughout the northern suburbs of Chicago, including Skokie.

15. Fair housing testing is a tool to investigate housing market practices and document instances of discrimination. Typically, testing uses individuals who, without any bona fide intent to rent or purchase a home or apartment, pose as prospective buyers or renters of real estate for the purpose of gathering information. This information may indicate whether a housing provider is complying with fair housing laws.
16. On March 1, 2019, Open Communities' Fair Housing Testing Coordinator and Staff Attorney Christopher Riehlmann created a "test" to determine whether Defendant was complying with local fair housing law, specifically the Cook County Human Rights Ordinance
17. On March 2, 2019, two of Open Communities' testers called Defendant at 773-961-7962 to inquire about the availability of the subject matter property: one tester portraying a voucher recipient and the other tester portraying a non-voucher renter.
18. One of Defendant's agents/employees told the non-voucher recipient tester that the apartment was available.
19. On a subsequent telephone call, one of Defendant's agents/employees told the voucher recipient tester that the apartment is "not set up for vouchers" and that there were no other units available that did accept vouchers.
20. On March 5, 2019, the testing coordinator assigned a third part of the test to a new tester.
21. On March 5, 2019, Open Communities' third tester called Defendant at 773-961-7962 to inquire about the availability of the subject matter property and whether the landlord accepted housing choice vouchers.
22. One of Defendant's agents/employees told the housing voucher recipient tester that the landlord for this apartment does not accept housing choice vouchers.

### **CLASS ACTION ALLEGATIONS**

23. Martha brings this action on behalf of herself and one class of similarly situated persons.
24. **Class A** consists of (1) all potential apartment applicants (2) for any apartments listed/managed by Defendant (3) in Cook County, Illinois (4) between May 1, 2017 and present (5) who utilized a Housing Choice Voucher to pay rent.
25. **Class B** consists of (1) all potential apartment applicants (2) for any apartments listed/managed by Defendant (3) in Cook County, Illinois (4) between May 1, 2017 and present (5) who utilized a Housing Choice Voucher to pay rent (6) who is African American.
26. As of the date of the filing of this complaint, Defendant manages and/or lists fifteen (15) apartments for rent in Cook County, Illinois.
27. The membership in the class is potentially in the hundreds.
28. Plaintiffs' counsel is experienced in class actions and will adequately represent the Plaintiffs' interests.
29. The people of Cook County, by and through their lawfully elected representatives, enacted an ordinance codified at County Code § 42- 30, et seq. and entitled the "Cook County Human Rights Ordinance" ("CCHRO").
30. The CCHRO prohibits any person from refusing to engage in a real estate transaction on the basis of unlawful discrimination. County Code § 42- 38.
31. A "real estate transaction is defined as "the rental . . . lease . . . of real property for residential purposes in Cook County." County Code § 42-38(a).
32. "Unlawful discrimination" means "discrimination against a person because of the actual or perceived status, practice, or expression of that person's . . . source of income." County Code §42-31.

33. Source of income is defined as “the lawful manner by which an individual supports himself or herself and his or her dependents.” County Code § 42-31.
34. The CCHRO was in force and effective at all times relevant herein.

**COUNT I**  
**TERMS AND CONDITIONS DISCRIMINATION**  
(Plaintiff on behalf of Class A)

35. Plaintiff restates and re-alleges Paragraphs 1-34 of this Class Action Complaint as if fully set forth herein.
36. The CCHRO states that “[n]o person shall make any distinction, discrimination, or restriction in the price, terms, conditions, or privileges of any real transaction, including the decision to engage in or renew any real estate transaction, on the basis of unlawful discrimination.” County Code § 42-38(b)(1).
37. On February 26, 2019, Defendant discriminated against Plaintiff by deciding to not engage in a real estate transaction with Plaintiff on the basis of Plaintiff’s source of income.
38. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

**COUNT II**  
**REFUSAL OF LISTING INSPECTION**  
(Plaintiff on behalf of Class A)

39. Plaintiff restates and re-alleges Paragraph 1-38 of this Class Action Complaint as if fully set forth herein.

40. The CCHRO states that “[n]o person shall publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to a real estate transaction which will indicate or express any unlawful limitation or discrimination on the basis of unlawful discrimination.” County Code § 42-38(b)(2).
41. On February 26, 2019, Defendant deliberately and knowingly published a communication to Plaintiff that the subject matter property did not accept housing choice vouchers.
42. On March 2, 2019, Defendant deliberately and knowingly published a communication to a fair housing tester that the subject matter property did not accept housing choice vouchers.
43. On March 5, 2019, Defendant deliberately and knowingly published a communication to a fair housing tester that the subject matter property did not accept housing choice vouchers.
44. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances

**COUNT III**  
**REFUSAL OF LISTING INSPECTION**  
(Plaintiff on behalf of Class A)

45. Plaintiff restates and re-alleges Paragraph 1-44 of this Class Action Complaint as if fully set forth herein.

46. The CCHRO states that “[n]o person shall deliberately and knowingly refuse examination of any listing of residential real property within Cook County to any individual because of unlawful discrimination.” County Code § 42-38(b)(3).
47. On February 26, 2019, Defendant deliberately and knowingly refused Plaintiff the opportunity to examine the subject matter property on the basis of Plaintiff’s source of income.
48. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

**COUNT IV**  
**DISCRIMINATORY REPRESENTATION**  
(Plaintiff on behalf of Class A)

49. Plaintiff restates and re-alleges Paragraph 1-48 of this Class Action Complaint as if fully set forth herein.
50. The CCHRO states that “[n]o person shall deliberately and knowingly represent to an individual that residential real property is not available for inspection, sale, rental, or lease in Cook County when in fact it is available, or fail to bring a residential real estate listing in Cook County to an individual’s attention, or refuse to permit a person to inspect residential real property in Cook County because of unlawful discrimination.” County Code § 42-38(b)(4).

51. On February 26, 2019, Defendant deliberately and knowingly represented to Plaintiff that the subject matter property was not available for rent to her because of her status as a housing choice voucher recipient.
52. On February 26, 2019, the subject matter property was located in Cook County, Illinois and subject to the provisions of the CCHRO. As such, the subject matter property was in fact available for Plaintiff to rent.
53. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

**COUNT V**  
**DISPARATE IMPACT**  
(Plaintiff on behalf of Class B)

54. Plaintiff restates and re-alleges Paragraph 1-53 of this Class Action Complaint as if fully set forth herein.
55. The people of the United States, by and through their popularly elected Congress, enacted a statute codified at 42 U.S.C. §3601 et seq. and known as the “Fair Housing Act.” (“FHA”).
56. The FHA was in force and effective at all times herein relevant.
57. At all times herein relevant, the subject matter property was a “dwelling” as that term is defined by 42 U.S.C. § 3602(b).

58. Pursuant to §3604(a) of the FHA, it shall be unlawful “[t]o refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color...”
59. Pursuant to §3605(a) of the FHA, “it shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color...”
60. HACC administers the Housing Choice Voucher program in the suburban Cook County area, essentially the entirety of non-Chicago Cook County.
61. In Cook County, Illinois, there are approximately 12,500 recipients of HACC housing choice vouchers.
62. Since approximately 56% of HACC public housing recipients are African American, there are an estimated 7,000 African American housing choice voucher recipients under HACC.
63. At all times relevant, Defendant had a common business practice of denying housing choice voucher recipients the opportunity to view certain apartments in the Cook County area.
64. Defendant’s policy of denying housing choice voucher recipients has a disproportionately negative impact on the majority African American housing choice voucher recipients in the Cook County area.
65. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be

proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

Respectfully Submitted,

/s/ Sheryl Ring  
Attorney for Plaintiff  
Sheryl Ring, Esq.

Sheryl Ring, Esq. #6311043/#62447  
Open Communities Legal Assistance Program  
990 Grove Street, Suite 500  
Evanston, Illinois 60201  
(847) 501-5760  
sheryl@open-communities.org

**NOTICE OF ATTORNEY LIEN**

**PLEASE TAKE NOTICE** that the Plaintiffs have retained Open Communities in this matter. Open Communities shall have a claim and lien for attorney fees under all fee-shifting statutes referenced in this Complaint.

/s/ Sheryl Ring  
Sheryl Ring, Esq.

# AFFIDAVIT OF SPECIAL PROCESS SERVER

<u>Case:</u> 2019 CH 06369	<u>Court:</u> Circuit Court Of Cook County, Illinois	FILED 9/10/2019 2:24 PM DOROTHY BROWN 2681474
<u>Plaintiff / Petitioner:</u> Martha Benson, Individually and on behalf of all similarly situated persons	<u>Defendant / Respondent:</u> Five Star Realty Services, Inc. an Illinois Corporation	CIRCUIT CLERK COOK COUNTY, IL 2019CH06369
<u>Received by:</u> Carlson Investigations, Inc.	<u>Client:</u> Open Communities Legal Aid	6510294
<u>Service Documents:</u> Alias Summons and Class Action Complaint at Law and Equity		

I, William Carlson [License 115-002378], being duly sworn on oath state that I am over 18 years of age and not a party to this suit and that I am registered employee of a Illinois Private Detective Agency "Carlson Investigations, Inc. [License 117-001360]", licensed by the Illinois Department of Financial and Professional Regulation and therefore authorized, pursuant to the provisions of Chapter 735 ILCS, Code of Civil Procedure, Section 5/2-202, Illinois Compiled Statutes, to serve process in the above cause.

Further, I William Carlson effected service on Five Star Realty Services, Inc. in the following manner listed below.

Corporate Service effected on Tuesday August 20, 2019, 12:32 pm By leaving a copy of the Alias Summons and Class Action Complaint at Law and Equity with Bill Duncan - Manager who was authorized to accept service on behalf of Five Star Realty Services, Inc. c/o Monika Hajkowska [Registered Agent] .Service was effected at 3703 N. Kedzie Ave, Chicago, IL 60618.

Bill Duncan - Manager is described as follows:

Male	50's	Caucasian
Gender	Age	Ethnicity

Comments: Bill informed me the registered agent Monika Hajkowska was traveling out of the county and informed me he was in full authority to accept on behalf of the corporation.

Under penalties of perjury as provided by law pursuant to section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.

  
August 21, 2019  
William Carlson [License 115-002378] Date

Subscribed & sworn to before me by the affiant who is personally known to me.  
  
Emily C. Romano  
Notary Public  
August 21, 2019  
Date



Return Date: No return date scheduled  
Hearing Date: 9/20/2019 10:00 AM - 10:00 AM  
Courtroom Number: 2410  
Location: District 1 Court  
Cook County, IL

## 12-Person Jury

FILED  
9/16/2019 12:39 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019CH06369

Appearance and Jury Demand \*

6582901  
(04/04/19) CCG 0009

### IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CHANCERY DEPARTMENT/ 1<sup>st</sup> DISTRICT

MARTHA BENSON

Plaintiff

v.

FIVE STAR REALTY SERVICES, INC., an Illinois Corporation

Defendant

Case No. 2019 CH 06369

Claimed \$: \_\_\_\_\_

Return Date: \_\_\_\_\_ Time: \_\_\_\_\_

Court Date: \_\_\_\_\_ Room No.: \_\_\_\_\_

Address of Court District for Filing

#### APPEARANCE AND JURY DEMAND \*

<input checked="" type="checkbox"/> General Appearance	<input checked="" type="checkbox"/> 0900 - Fee Paid	0904 - Fee Waived
	0908 - Trial Lawyers Appearance - No Fee	
<input checked="" type="checkbox"/> Jury Demand *	<input checked="" type="checkbox"/> 1900 - Appearance and Jury Demand/Fee Paid	<input checked="" type="checkbox"/> Twelve-person Jury
	1904 - Appearance and Jury Demand/No Fee Paid	<input type="checkbox"/> Six-person Jury

The undersigned enters the appearance of: Plaintiff Defendant

Litigant's Name: Five Star Realty Services, Inc.

Signature: /s/ Jeffrey E. Kehl

Initial Counsel of Record Pro Se (Self-represented)

2810 Rule 707 Out-of-State Counsel  
(pro hac vice)

Additional Appearance Substitute Appearance

Atty. No: 45609 Pro Se 99500

Name: Jeffrey E. Kehl/Bryce Downey & Lenkov LLC

Atty. for (if applicable):

Defendant Five Star Realty Services, Inc.

Address: 200 North LaSalle Street, Suite 2700

City: Chicago

State: IL Zip: 60601 Phone: 312-377-1501

Primary Email: jkehl@bdlfirm.com

\* Strike demand for trial by jury if not applicable.

I certify that a copy of the within instrument was served on all parties who have appeared and have not heretofore been found by the Court to be in default for failure to plead.

#### IMPORTANT

Once this Appearance form is filed, photocopies of this form must be sent to all other parties named in this case (or to their attorneys) using either regular mail, fax, email or personal delivery. (See Illinois Supreme Court Rules 11 and 13 for more information.)

Pro Se Only:

I have read and agree to the terms of Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice from the Clerk's office for this case at this email address:

Email: \_\_\_\_\_

/s/ Jeffrey E. Kehl

Attorney for Plaintiff • Defendant

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

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9/16/2019 12:39 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019CH06369

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – CHANCERY DIVISION

MARTHA BENSON )  
Plaintiff, )  
v. )  
FIVE STAR REALTY SERVICES, INC, )  
an Illinois Corporation )  
Defendant. )  
No. 2019 CH 06369  
6582901

**NOTICE OF MOTION**

TO: Sheryl Ring, Esq.  
Open Communities Legal Assistance Program  
990 Grove Street, Suite 500  
Evanston, IL 60201  
sheryl@open-communities.org

On September 20, 2019, at 10:00 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Anna M. Loftus in Room 2410 or any Judge sitting in her stead, in the courtroom usually occupied by her at the Richard J. Daley Center, Chicago, Illinois, and shall then and there present **Defendant's Motion for Extension of Time to Answer or Otherwise Plead**, a copy of which is attached hereto.

/s/ Jeffrey E. Kehl

Storrs W. Downey  
Jeffrey Kehl  
Bryce Downey & Lenkov LLC (#45609)  
200 N. LaSalle St., Ste. 2700  
Chicago, IL 60601  
Phone: (312) 377-1501  
Fax: (312) 377-1502  
sdowney@bdlfirm.com  
jkehl@bdlfirm.com

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that I served the above and forgoing Notice and Motion via e-mail to the designated e-mail address of record as indicated in the above Notice on or before September 16, 2019, before the hour of 5:00 P.M. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the preceding sentence is true and correct.

/s/ Jeffrey E. Kehl

Return Date: No return date scheduled  
Hearing Date: 9/20/2019 10:00 AM - 10:00 AM  
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Location: District 1 Court  
Cook County, IL

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9/16/2019 12:39 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019CH06369

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – CHANCERY DIVISION**

6582901

MARTHA BENSON )  
 )  
 Plaintiff, ) ) No. 2019 CH 06369  
 )  
 v. )  
 )  
 FIVE STAR REALTY SERVICES, INC, )  
 an Illinois Corporation )  
 )  
 Defendant. )

**MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant, FIVE STAR REALTY SERVICES, INC., by and through its attorneys, BRYCE DOWNEY & LENKOV LLC, and moves for Court for an extension of time to November 1, 2019, to answer or otherwise plead. In support thereof, Defendant states as follows:

- 1) Defendant Five Star Realty Services, Inc. was served Plaintiff's Complaint on August 21, 2019.
- 2) Defendant Five Star Realty Services, Inc. filed its appearance and jury demand on September 16, 2019.
- 3) Attorneys for the Defendant Five Star Realty Services, Inc. have been unable to complete their investigation before an answer and/or motion can be plead. Defendant Five Star Realty Services, Inc. is asking for 45 days, or until November 1, 2019 to answer or otherwise plead to Plaintiff's complaint.

**WHEREFORE**, Defendant Five Star Realty Services, Inc. requests this Court to enter an order granting it leave until November 1, 2019 to answer or otherwise plead to Plaintiff's complaint.

Respectfully submitted,

BRYCE DOWNEY & LENKOV LLC

BY: /s/ Jeffrey E. Kehl  
One of the Attorneys for Defendant

Storrs W. Downey  
Jeffrey E. Kehl  
Bryce Downey & Lenkov LLC (#45609)  
200 N. LaSalle Street, Suite 2700  
Chicago, IL 60601  
sdowney@bdlfirm.com  
jkehl@bdlfirm.com  
Phone: (312) 377-1501  
Fax: (312) 377-1502

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that I served the above and forgoing Motion for Extension of Time of Answer or Otherwise Plead, via e-mail to the designated e-mail address of record below on September 16, 2019, before the hour of 5:00 P.M. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the preceding sentence is true and correct.

Sheryl Ring, Esq.  
Open Communities Legal Assistance Program  
990 Grove Street, Suite 500  
Evanston, IL 60201  
sheryl@open-communities.org

/s/ Jeffrey E. Kehl